



Tallahassee-Leon County
Planning Department

MEMORANDUM

To: Members of the Tallahassee / Leon County Planning Commission
From: Enid Ehrbar, Senior Planner *EER*
Date: February 21, 2003
Subject: Consistency Review: Exemption for Boundary Adjustment

The Planning Department staff has been asked to review the proposed revisions to Chapter 10, Section 1 of the Leon County Code of Laws in the Definitions section for consistency with the Comprehensive Plan. This ordinance change allows for an additional exemption for property owners moving a lot boundary line, as long as the property is owned by family members and is being done in order to allow the construction of an addition onto an existing single family home. Staff has reviewed the proposed changes in relation to the Comprehensive Plan policies and finds the proposed ordinance consistent with the Plan based on the limited policy language contained in the Plan. The direction from the Planning Commission Attorney has been to find an item consistent with the Comprehensive Plan if the Plan does not address the issue. The Comprehensive Plan does not directly address the adjustment of property lines.

This modification is an addition of language in the definitions section of the County Code that defines subdivisions and states when boundary lines for lots can be adjusted by use of an affidavit. This new language would no longer require an affidavit to be submitted and reviewed by the County staff. This exemption can only be used between properties that are owned by members of the same family as defined by the Florida Statutes and only if the boundary adjustment is being done to allow the construction of an addition onto an existing single family home. This modification is narrowly constructed and would be expected to have limited applicability.

Although there is not a policy in the Comprehensive Plan that speaks directly to boundary adjustments, there are some general issues raised by not having staff review of the boundary adjustments. Staff generally reviews the boundary adjustments to insure that: (1) the adjustments do not create nonconforming lots by making the lots inconsistent with the required setbacks or minimum lot size, this avoids creating unbuildable lots; (2) there are no impacts to environmentally sensitive features in keeping with the requirements in

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Conservation Policies 1.3.2 and 1.3.4 to protect conservation and preservation features. This will no longer be done if this modification is approved. Although these are not direct Comprehensive Plan consistency issues, these are issues that relate to the Plan and were previously considered when these types of boundary adjustments were made.

Cc: Jean Gregory
Val Hubbard
David Mc Devitt

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